

GAHC010141372024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : AB/1817/2024

RANJU MONI SAIKIA BORA
W/O SRI BIBHUTI BHUSHAN BORA
R/O VILL- KAWIMARI
P.O. HAIBORGAON, P.S. NAGAON,
DIST. NAGAON, ASSAM,

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY, MR. D BORA, MR. N MAHAJAN, MR. P K DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
O R D E R

09.08.2024

Heard Mr. B.K. Mahajan, learned counsel for the petitioner, namely, Ranju Moni Saikia Bora, who has filed this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, with prayer for pre-arrest bail, as she is apprehending arrest in connection with Jagiroad Police Station Case No.136/2024 under Sections 61/316(3)/318(4) of the Bharatiya Nyaya Sanhita, (B.N.S), 2023.

2. Heard Mr. D. Das, learned Additional Public Prosecutor, Assam for the respondent State.

3. It is submitted by Mr. Mahajan, the learned counsel for the petitioner that the petitioner is innocent and she is in no way connected with the alleged offence. The petitioner is the owner and proprietor of a non-Government fertilizer dealer namely M/s. Bora Fertilizer Stores, Haiborgaon, Nagaon wherefrom she used to supply the non- Government fertilizer and on the date of incident some bags of fertilizer were loaded which was supposed to be supplied to Shillong and she is not connected with any offence which is committed by the driver while carrying the fertilizer. Further it is submitted that supply of fertilizer comes under Section 7 of

the Essential Commodities Act and the case is wrongly registered under Sections 61/ 316(3)/ 318(4) of the Bharatiya Naya Samhita, 2023. He has further submitted that the petitioner is ready and willing to cooperate with the investigation if she is released on pre-arrest bail.

4. I have considered the submission at the bar and I have scrutinised the case diary. The petitioner has appeared before the I/O and her statement has been recorded. The petitioner has not violated any bail conditions. I have considered the submission that the petitioner has pledged to cooperate with the remaining part of the investigation and the petitioner is willing to abide by any stringent bail conditions, if imposed upon her. The petitioner is a local resident and she is not a flight risk

5. In view of my foregoing discussions, the interim order dated 18.07.2024 passed by a Coordinate Bench of this Court is hereby made absolute under the same terms and conditions.

6. Accordingly, this anticipatory bail stands disposed of.

Send back the case diary.

JUDGE

Comparing Assistant